

FROST BROWN TODD LLC

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FAX COVER SHEET

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To Examiner Weber
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Fax Number 220474345917038729306
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From KAREN S. KRUEZKAMP
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COMMENTS

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OFFICIAL**RECEIVED
CENTRAL FAX CENTER****PATENT****APR 19 2004****RESPONSE UNDER
37 CFR §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP NO.
1651****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Gregory Grabowski, : Paper No:
Hong Du

Serial No. 09/775,517 : Group Art Unit: 1651

Filed: February 2, 2001 : Examiner: Jon Weber

Docket 10872/474345 Customer No. 26874
No.

For: LIPID HYDROLYSIS THERAPY FOR ATHEROSCLEROSIS AND RELATED DISEASES

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND RESPONSE AFTER FINAL REJECTION

Dear Sir:

In response to the Office Action of October 30, 2003, placing the above-cited application under final rejection, please consider the additional remarks and the second attached Declaration under 37 CFR 1.132 of David Hui, Ph.D., as requested by the Examiner.

As an initial matter, the Applicants wish to express their appreciation and gratitude to Examiner Weber for the interview of April 5, 2004, which was conducted between the Examiner, Dr. Gregory Grabowski and his undersigned Counsel. During that interview, Dr. Grabowski and his Counsel discussed with the Examiner the basis

of the Examiner's obviousness rejections. Dr. Grabowski also gave a presentation detailing the role of lysosomal acid lipase (LAL) in cholesteryl ester metabolism and hydrolysis. Agreement was reached between Applicants' counsel and the Examiner that the Applicants would submit a second response in which the Applicants would further discuss the enzymes described in the references cited by the Examiner in his 35 U.S.C. §103(a) rejections, and how these compare with Applicants' invention. The Applicants' arguments are summarized herein.